South Carolina Victim Service Coordinating Council

Final Report—Fiscal Year 2007-2008



Submitted to

the SC State Office of Victim Assistance by Dana D. DeHart, Ph.D.

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EXECUTIVE SUMMARY

The SC Victim Service Coordinating Council (VSCC) is part of the State Office for Victim Assistance's (SOVA's) mandate to provide "support for a state-level advisory group representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts." The VSCC held five full meetings of the membership in fiscal year 2007-2008, as well as multiple meetings of VSCC committees. A committee drafted bylaws that were adopted by the VSCC, and several new VSCC representatives were appointed or elected. A graphics specialist also worked with the VSCC for development of logos and letterhead. A central activity throughout the fiscal year involved participating with legislators and stakeholders in discussion of legislation drafted by the VSCC during the preceding year. Because proposed legislative changes include implementation of a certification system for SC victim service providers, a committee met to discuss possible core competencies for basic certification, procedures for grandfathering victim service providers, and other considerations. A Legislative Committee was formed to keep abreast of emerging legislative proposals and provide information and recommendations to the full VSCC. The Safety-and-Accountability Audit Committee plans to meet in the summer of 2008 to begin development of a funding proposal that would be competitive nationally. Plans for the upcoming fiscal year include working toward a more self-sustaining VSCC to streamline functioning, reduce dependence on outside contractors, and enhance costeffectiveness for greatest benefit to SC communities.

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INTRODUCTION

The SC Victim Service Coordinating Council (VSCC) is part of the State Office for Victim Assistance's (SOVA's) mandate to provide "support for a state-level advisory group representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts" (Title 16, Article 14 of the SC Code of Laws). During fiscal year 2006-2007, the newly developed VSCC reviewed national models of community coordination, engaged in strategic planning, and began work toward several specific goals for enhancing practice and policy in victim services. Much of current fiscal year (2007-2008) was devoted to solidifying VSCC structure and processes as well as continued work on specific projects. Plans for the upcoming fiscal year (2008-2009) include working toward a more self-sustaining VSCC to streamline functioning, reduce dependence on outside contractors, and enhance cost-effectiveness for greatest benefit to SC communities. This report contains information on the VSCC's mission, values, membership, and the year's activities, as well as evaluation and directions for future activity.

MISSION

The mission of the SC Victim Service Coordinating Council is to utilize engaged discussions and group planning to:

- improve coordination efforts of victim service providers;
- suggest policy and procedural improvements to victim service agencies and groups; and
- recommend needed statutory changes to the General Assembly.

All of this is directed toward the end goal of promoting the highest quality victim services across the state.

VALUES

The Council believes that crime affects entire communities, and thereby coordination is critical to saving lives and serving needs of diverse victims. Various government and community-based providers of victim services can each make unique and valuable contributions when acting as a coordinated network. The entire system must be responsible for holding offenders accountable and keeping victims informed, involved, protected, and respected throughout the justice process.

MEMBERSHIP

To achieve a workable group size, balance and range of perspectives, and flexibility to accommodate individuals of strong motivation and expertise, members of the VSCC—in conjunction with lawmakers and community stakeholders—have proposed a Council membership of 22 members. Current member bios are included in Appendix A and specific criteria for membership are included in Appendix B under 16-3-1410 section B. The VSCC is charged with linking to others within the field through activities such as public dissemination of meeting minutes and progress updates, invitations for stakeholders to serve on Council subcommittees, and invitations for stakeholders to provide input on Council activities and products. Council members are encouraged to remain cognizant that promoting the common good for all stakeholders necessitates that members sometimes make difficult decisions and compromises.

VSCC ACTIVITIES IN 2007-2008

The VSCC held five full meetings of the membership in fiscal year 2007-2008, as well as multiple meetings of VSCC committees. Important accomplishments included adoption of bylaws and new procedural rules for functioning, discussion and selection of new member seats, creation of logos and letterhead, and continued work on projects and administrative development.

Bylaws & Procedures

An ad-hoc Bylaws Committee was formed. The contractor provided the committee with a template and options based on research and bylaws of similar entities. The committee drafted a set of bylaws and presented these with recommendations to the full VSCC. Following discussion and refinement, the bylaws in Appendix C were adopted. One aspect of bylaws included new procedural rules for VSCC functioning. The membership wished to function under Roberts' Rules of Order versus the previous years' consensus-based procedures for decision-making. The contractor researched and modified procedures so that this change would be reflected in VSCC agendas, meetings, minutes, and so on.

New Member Seats

Several VSCC members who had served in fiscal year 2006-2007 left positions at their agencies or organizations in fiscal year 2007-2008, and new representatives from these agencies took seats on

¹ Note that proposed legislation (Appendix B) includes 22 members versus the 20 member-structure in current VSCC bylaws (Appendix C). Two member seats were added to proposed structure during stakeholder discussions of proposed legislation. It is likely that bylaws will soon be updated to reflect this amendment.

the VSCC. These included outgoing/incoming representatives for the SC Law Enforcement Victim Advocates Association and the SC Department of Probation, Parole, and Pardon Services. Two new seats on the VSCC included a designee from the SC Sheriffs' Association and an appointed crime victim representative. These new representatives were provided with background information on the VSCC and have begun serving on the council. An appointed seat for a statewide child advocacy organization is in the process of being filled after two previous representatives changed employment, and a member-elected crime-victim representative seat is awaiting nominations from the VSCC.

Logos & Letterhead

A graphics specialist worked with the VSCC for development of logos and letterhead. The contractor provided the consultant with information on the VSCC's mission, values, and membership, and the specialist created numerous design options for VSCC review. These were pared down to a few distinct designs and fonts before the full membership voted to adopt a single logo. The specialist then worked with the logo to develop several formats for use in presentations and reports. The specialist also developed a template for letterhead that would allow routine edits so that letterhead could be updated and reprinted periodically to accommodate member turnover.

Continued Work on Projects

Draft legislation

A central activity throughout fiscal year 2007-2008 involved participating with legislators and stakeholders in discussion of legislation drafted by the VSCC during the preceding fiscal year. This included preparing and providing information sheets to describe proposed legislative changes as well as working with stakeholders to develop compromises on points of concern. At the writing of this report, the draft legislation has a number of sponsors, has successfully passed SC House of Representatives and SC Senate, and has been ordered for ratification. The most recent version of the proposed legislation is presented in Appendix B.

Certification of providers

Because proposed legislative changes include implementation of a certification system for victim service providers, another major activity of the VSCC was gathering information and developing recommendations on criteria and logistics for such a certification system. The contractor provided some research on models of certification around the country and brought in four national expert panelists to discuss these. Panelists included Jeannette Adkins who provided information on the National Advocate Credentialing Program and credentialing through the Ohio Advocate Network, Lynda Carson who provided information on certification through the New Jersey Coalition for

Battered Women, Shari Konarske who provided information on the Iowa Organization for Victim Assistance Certification Program, and Karen O'Bryan who provided information on designation through the Florida Attorney General's Office. The contractor developed an audio CD of presentations and question-and-answer sessions which is available upon request.

The VSCC's Certification Committee also met several times to discuss possible core competencies for basic certification, procedures for grandfathering victim service providers, and other content and logistical considerations for implementing a successful certification system in South Carolina. They will continue work in the coming fiscal year in preparation for the January 2009 implementation date that will take effect if the legislation is passed.

Other committee work

A Legislative Committee was formed to keep abreast of emerging legislative proposals and provide information and recommendations to the full VSCC. During fiscal year 2007-2008, committee members discussed pending legislation that could impact victims or service providers, including proposals on immigration and other issues.

The Safety-and-Accountability Audit Committee formed in fiscal year 2006-2007 with the goal of implementing victim-service pilot audits of interagency coordination throughout the state. Based on federal funding timelines, the committee plans to meet in the summer of 2008 to begin development of a funding proposal that would be competitive nationally.

Continued Administrative Development

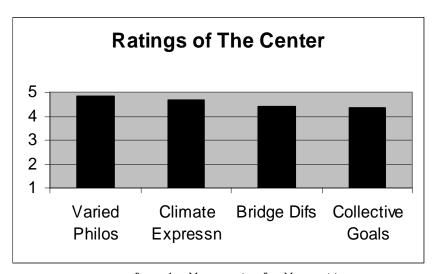
The contractor continued work to develop administrative structure of the VSCC including updating member biographies and stakeholder contact lists, posting minutes and reports on the VSCC website, developing nomination forms to assist in filling member seats, developing committee worksheets to enhance effectiveness of functioning, and presenting information on the VSCC in public forums such as at the annual conference of the SC Solicitors' Association.

EVALUATION OF VSCC ACTIVITIES

VSCC Member Evaluations

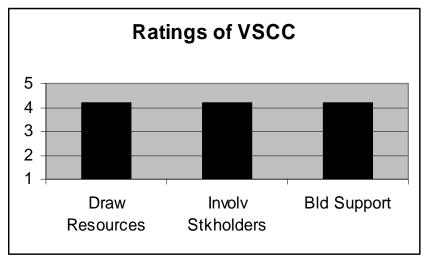
Toward the end of the fiscal year, Council members were sent evaluation forms to assess functioning of the VSCC. Ratings of contractor performance included the contractor's commitment to work with professionals of varied philosophies and backgrounds, ability to promote a climate where partners feel free to express ideas, ability to bridge differences between groups and

combine inputs of partners, and effectiveness in leading the VSCC toward collective goals. As can be seen in Figure 1, ratings of The Center's performance were generally high, with the greatest room for improvement being in bridging differences between groups and leading those involved toward collective goals. Qualitative comments indicated that, given strong personalities on the VSCC, committee work may be a venue for assuring everyone has a voice. It was also suggested that the group might benefit from sessions on communication, team building, and conflict resolution. These may be strategies to consider in leading the group toward successes in the future.



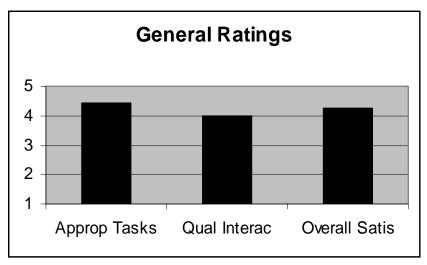
Range: 1 = Most negative, 5 = Most positive.

Ratings of council performance included the VSCC's ability to identify and draw upon community resources, ability to involve members and other stakeholders in project activities, and ability to build support for initiatives among victim service providers. As Figure 2 displays, these ratings were also fairly high. All three areas might benefit from greater focus in the future.



Range: 1 = Most negative, 5 = Most positive.

Finally, ratings addressed appropriateness of tasks and topics addressed at meetings, quality of interaction at meetings, and overall satisfaction with the project's goals and processes. Figure 3 shows that council members generally felt that tasks addressed at meetings were appropriate and were highly satisfied with the project's goals and processes. One member noted that "Overall...this process of coming together and forming this council has been a tremendous success." Still, ratings indicate that quality of interaction at meetings could benefit from improvement.



Range: 1 = Most negative, 5 = Most positive.

Lessons Learned

There are a number of areas in which functioning of the VSCC might be enhanced. First, with the increased formalization and structure of the VSCC (e.g., membership criteria, bylaws, use of Roberts' Rules), continued use of contractual services to direct the council may not be cost-effective. The present contractor has proposed to recede from involvement with the VSCC over a 6-month transition period during which that contractor may train a mid-level staff person employed by the funding agency to take over administrative support for the VSCC. This prospect was received favorably by the full council, and an ad-hoc Staffing Committee has been formed to begin defining role and duties of the new staff person.

Another area for consideration involves the methods chosen by the VSCC to promote greater coordination of victim services. During the past two fiscal years, a variety of national models of coordination have been presented to the VSCC, with methods used in other locales including: research, evaluation, and systems review; networking, development of response teams, and establishing memoranda of agreement; providing training and technical assistance to professionals in victim services and related disciplines; and promoting visibility and awareness through community activities. To date, there seems a tendency for the VSCC to rely on legislative advocacy as the primary means for achieving goals. This may be a reflection of council members' past experience

and "comfort area" for enacting projects, which may certainly be a strength. Yet, the VSCC might benefit from exploring methodologies beyond the legislative realm. This could be an area for the contractor and Staffing Committee to think about as they develop guidelines for future VSCC functioning with the new staff person.

Finally, the council includes representation of diverse voices from within the victim service community. Each member's unique personality and personal style adds to the VSCC's overall composition and ability to advance victim service coordination. Within this context, council members should remain vigilant to the fact that different members contribute their strengths in different ways; for instance, some actively drive discussion during meetings, some lend perspectives and forge partnerships through quiet hallway discussions with colleagues, and others exert influence with community stakeholders "behind the scenes." To garner the fullest potential from the VSCC, decision-making and group process should accommodate all of these styles. This may be crucial in assuring the group collectively maintains momentum rather than representing interests of a select few. Again, this may be an area of exploration for the contractor and Staffing Committee in working with new staff.

DIRECTIONS FOR THE FUTURE

The VSCC has made substantial progress in the past fiscal year, particularly in increasing structure and permanence of the council. Several paths of action may advance the VSCC's work in the future. First, the VSCC should convene the Staffing Committee to facilitate timely recruitment and training of transition staff to provide administrative support for the council. Also in the coming months, the Safety-and-Accountability Audit Committee should meet and begin development of a competitive federal proposal to conduct victim-service systems reviews at pilot sites across the state. The VSCC should also examine bylaws and establish concordance between these and amended legislation, and vacant member seats should be filled to promote greatest participation and diverse representation within the VSCC. As new members take their seats on the council, it is advisable to take note of member strengths and styles as the VSCC considers ways to raise visibility of the council and establish linkage with stakeholders. The Certification Committee must continue its efforts to outline content and logistics necessary for the smoothest possible implementation of proposed certification legislation. The Legislative Committee should also move forward on its successful path of using legislative advocacy to enact systemic change, and additional methods of activism or coordination should be explored by the full VSCC. Finally, each year, the VSCC should review progress and develop new projects of broad interest to assure that council activity truly reflects and advances the field.

APPENDIX A: VSCC MEMBER BIOS

Nancy Barton is the Executive Director of Sistercare, a domestic violence program serving battered women and their children in Richland, Lexington, Kershaw, Fairfield and Newberry counties. She holds a Masters of Social Work degree from Virginia Commonwealth University and is a marriage and family counselor. Ms. Barton has been professionally involved in women's issues for over twenty years and has experience with women's services, management of human service programs, and counseling with families, couples and individuals. She has served on the Governor's Task Force Against Domestic Violence and been a member of the board of directors of the SC Coalition Against Domestic Violence and Sexual Assault. Ms. Barton has testified as an expert witness in criminal proceedings involving battered women, spoken on the issue of violence against women, and testified before legislative committees.

William D. Bilton, Esq. is the Executive Director of the South Carolina Commission on Prosecution Coordination. He received his B.A. Degree in Political Science from the University of South Carolina in 1979 and his J.D. Degree from the University of South Carolina School of Law in 1987. He was admitted to the SC Bar that same year and has been admitted to practice before the United States District Court of South Carolina. Prior to working with the Commission, Mr. Bilton worked as a research analyst for the Office of Senate Research for the SC Senate and was employed as an Assistant Solicitor for the Fifth Judicial Circuit from 1987-1991. Mr. Bilton graduated from the Federal Law Enforcement Training Center for "Advanced Arson for Profit for State Prosecutors" in 1989. He is a current member of the National District Attorneys Association and the Richland County Bar Association. He is a member of the National Association of Prosecutor Coordinators and served as President from 1997-98.

M. Hope Blackley began her work in the victim service arena in 1997 as a victim advocate with the 7th Circuit Solicitor's Office located in Spartanburg County. While assisting victims of crime in the 7th circuit, children of sexual abuse were the primary focus of Ms. Blackley's duties. Ms. Blackley was appointed by Governor Sanford in October of 2004 for the Crime Victims' Ombudsman post. She formerly served as the Solicitors' Advocate Forum vice-president and chairman of the Solicitors' Advocate Forum conference committee. Ms. Blackley has conducted numerous trainings and presentations throughout the state, with an upcoming training funded by the South Carolina Department of Public Safety, Office of Justice, with emphasis on the upstate which will encompass the 7th, 8th, 10th, and 13th Circuits. She currently serves as a member of the South Carolina Victim Assistance Network (SCVAN) Board; RAYS of Light, Inc. Board; Parents of Murdered Children (POMC) Community Advisory Board; South Carolina Department of Probation, Parole, and Pardon Services (SCDPPP) Victims Advisory Council; State Carolina Victim Assistance Academy's (SCVAA) Steering Committee; and Mothers Against Drunk Driving (MADD) SC State Operations Council; as well as being a certified MADD victim's advocate.

Vicki Bourus, MSW, LISW is currently serving as the Executive Director of SCCADVASA (South Carolina Coalition Against Domestic Violence and Sexual Assault). Vicki is a licensed,

Master's prepared social worker and has worked extensively with victims of domestic and sexual assault and child abuse. She has been involved in providing services to and advocating for victims of domestic and sexual assault since 1986 and has provided both consultation and training to law enforcement officers, medical and legal professionals, and social workers in the identification, assessment, and treatment of victims of both sexual and domestic violence and other related issues. She served on the Domestic Violence Task Force of the SC Criminal Justice Academy in 1987-88 and was nominated for a "Woman of Achievement" Award from the SC Commission on Women in 1991. Vicki received a Bachelor's degree from the University of Georgia and a Master's degree in Social Work from the University of South Carolina. Vicki is married and has two sons, ages 27 and 30, and four grandchildren.

Marvin M. Bryant, Sr., and his wife Algie helped to found the SC Chapter of Parents Of Murdered Children (POMC), Inc., after their youngest son, Marcus "Patrick" Bryant, 21, was murdered on April 12, 2001. Since that time, they have provided support to many families throughout South Carolina, including providing grieving information for homicide survivors, assisting families with understanding the criminal process and connecting with victim advocates, informing survivors about their rights, providing monthly support groups, and sponsoring special remembrances and events. Recently SC POMC have joined the United Methodist Church SC Annual Council On Ministries and have sponsored workshops for the clergy in July 2004 and March 2005. Mr. Bryant has been active in victims' rights events including SC Victims Rights Week Conferences, OVC Roundtable Discussions, the National Victim Assistance Academy, and other state and national conferences and trainings. Mr. Bryant was re-elected for a Three-Year term to POMC Board of Trustees in 2006. He is employed as a Chief Mental Health Counselor at Columbia Area Mental Health Center's, Child, Adolescent & Family Services Division. He has implementation and supervisory responsibility for the Multisystemic Therapy Program and supervises school-based mental health counselors who provide services to students. He is a Licensed Master Social Worker, member of the NASW Academy of Certified Social Workers and a member of South Carolina Society of Certified Public Managers. Bryant, a seasoned clinician with over 28 years experience in psychiatry, mental health, and child welfare services, received his master's degree in social work in 1990 and holds a Bachelor of Arts degree in Interdisciplinary Studies from the University of South Carolina. He is an active member of Ridgewood Missionary Baptist Church since 1973 and serves as a Deacon.

Leigh S. Caldwell, a lifelong resident of Spartanburg, SC, earned her Associate's Degree in criminal justice from Spartanburg Methodist College and Bachelor's Degree in liberal studies with a concentration in social work from Limestone College. She has served as Director of Volunteer Services for the American Red Cross, and also as a Disaster Services Caseworker and as a Service to Military Families Caseworker. She is currently the Victim Services Coordinator for the Cherokee County Sheriff's Office, Director of Media and Community Relations, and Co-Manager of the county's sex offender registry. She is President of the SC Law Enforcement Victim Advocates Association, and a member of both the Cherokee County Multi-Disciplinary Committee of DSS and the Emergency Services Joint Information Committee.

Barbara W. Grissom is the Director of the Division of Victim Services for the South Carolina Department of Corrections. She is a graduate of Winthrop College and has an extensive background in community development and program management. She has served in management consulting positions with the South Carolina Arts Alliance and staff leadership positions with United Way and in the South Carolina Energy Office. Since Barbara joined the South Carolina Department of Corrections in 1989, she developed a new computer-based victim registration program and automated the case management process, designed an automated telephone notification system and a telephone inquiry service for the public, expanded the victim service base, and worked for confidentiality legislation for victims. In August 1998, Barbara was recognized by the American Correctional Association with an Award of Excellence. Barbara introduced the Impact of Crime Program for inmates and developed a nationally replicated workshop and accompanying guidebook on workplace stalking. Barbara was named Chairperson of the first Southern States Correctional Association's Victims Committee in January 1999. Barbara has served on the South Carolina Crime Victims' Advisory Board, Board of the SC Victim Assistance Network, the American Correctional Association's Victim Committee, the Governor's Advisory Victim Services Coordinating Committee, and on the Board of Standards and Certification for Victim Assistance, as well as representing the SC Department of Corrections on numerous advisory committees. She has provided on-site technical assistance to the departments of corrections in GA, IL, and FL and has consulted with the National Institute of Corrections and the National Center for Victims of Crime on national training products.

Joanna Katz began her work as an activist in 1991 by speaking publicly about her rape at a Take Back the Night Vigil in Charleston. She went on to facilitate rape support groups with Charleston's People Against Rape and served on panels for education at the Department of Psychiatry at the Medical University of South Carolina. When Katz's rapists began to come up for parole in 1996, her advocacy took a different turn and she began working with producer, Liz Oakley, on Sentencing the Victim. The film made its national debut in March of 2004 on PBS's Independent Lens series. Since the initial release of the film in April 2002, Katz has spoken at numerous national conferences dealing with victims' issues and has addressed a group at the U.S. Department of Justice. On June 2, 2004, with the help of, SCVAN, new laws in S.C. were established in order to create sensitivity towards thousands of crime victims who come up to oppose parole every year. One of the most notably known provides victims and their families attending parole hearings with 2-way live videoconferencing sites around the state.

Dean G. Kilpatrick, Ph.D. is a Distinguished University Professor in the Department of Psychiatry and Behavioral Sciences and Director of the National Crime Victims Research and Treatment Center at the Medical University of South Carolina. Dr. Kilpatrick received his Ph.D. in clinical psychology from the University of Georgia. His primary research interests include measuring the prevalence of rape, other types of violent crime, terrorism, and natural disasters, as well as assessing the mental health impact of such events. His epidemiological research has been funded by numerous agencies including the National Institute of Mental Health, the National Institute on Drug Abuse, the National Institute of Justice, and the Centers for Disease Control and Prevention. He and his colleagues have conducted epidemiological studies of numerous disasters

including the Loma Prieta earthquake, Hurricanes Andrew and Hugo, the 2004 hurricanes in Florida, the Pan Am 103 terrorist bombing, and the 2001 terrorist attacks on the World Trade Center in New York. He is currently President of the International Society for Traumatic Stress Studies and director of the NIMH-funded Disaster Research and Mentoring Center.

Veronica Swain Kunz has served as the Chief Executive Officer for the South Carolina Victim Assistance Network (SCVAN) since 2000. Prior to her work with SCVAN, she served as Chief Assistant to the Chief of Criminal Prosecution, Bill Gambrell, under Attorneys General Medlock and Condon. She managed the Statewide Grand Jury (which prosecutes multi-jurisdictional drug conspiracy, public corruption, and pornography cases) and the Death Penalty Divisions of the Attorney General's Office. She formerly worked for Boyd Knowlton, Tate and Finley (currently Haynesworth, Sinkler, & Boyd) and the McNair Law Firm. Mrs. Kunz chairs MADD SC's Victim Services Committee, and serves on Board of Directors of Parents Of Murdered Children Advisory Committee; SC Department of Probation, Parole, and Pardon Victim Advisory Board; Fight Crime Invest in Kids National Advisory Board; and is an Associate Member of the SC Law Enforcement Victim Advocate Association. Mrs. Kunz serves on Leadership Columbia and Colleton's Speaker's Board, and is a guest instructor for the University of South Carolina, SC Criminal Justice Academy, and South University. A survivor of childhood sexual abuse and family violence, Mrs. Kunz is the mother of two grown children, and seeks to advance the rights of crime victims as a lifetime mission.

Ashlie Lancaster, as Director of the Governor's Office of Economic Opportunity and the State Office of Victim Assistance, is committed to helping make a difference in the lives of our most vulnerable residents while promoting accountability and good stewardship of taxpayer dollars. Ashlie has dedicated her career to working in human services, with over ten years of experience in the field. Prior to her current positions, she worked with proclamations, school recognition programs, and a variety of other special projects. Under the Sanford administration, she served as Constituent Services Coordinator of both the Ombudsman office and the Children's Case Resolution System, and in 2005, she was appointed as Director of the Office of Economic Opportunity the State Office of Victim Assistance. Ashlie is a 2002 graduate of the Governor's EXCEL Leadership Program and serves on the Interagency Council on Homelessness, the Victim Services Coordinating Council, the SC Impaired Driving Prevention Council and the State Citizen Corps Council. She is also a member of the SC Interagency Coordinating Council for Hazard Mitigation and the SC Recovery Planning Advisory Committee. A native of Spartanburg, Ashlie is a graduate of the University of South Carolina with a Master of Arts in political science. She is married with two children.

Barbara Jean (B.J.) Nelson is the Administrator for the Victims of Crime Act Programs (Victims of Crime Act – VOCA, State Victims Assistance Program – SVAP, and the Violence Against Women Act – VAWA) in the Office of Justice Programs at the South Carolina Department of Public Safety. She has served in this capacity for the past 21 years. BJ has served on various victim-related committees, and serves on the Board of the National Association of VOCA Assistance Administrators.

Jeffrey B. Moore has been the Executive Director of the South Carolina Sheriffs' Association since April of 1982. Among other duties, he is responsible for representing SCSA interests on various state and national committees concerning evolution of the criminal justice system. He is responsible for developing the association's legislative strategy and representing its interests before the state's General Assembly. A partial list of Mr. Moore's memberships and organizations include: National Sheriffs' Association, SC Jail Administrator's Association, SC Adult Protection Coordinating Council, SC Jail Standards Review Committee, Partners in Crisis, Freedom Commission on Mental Health, Children's Justice Task Force (Chair), SC Child Fatality Review Committee, SC Violent Death Study Committee, Amber Alert Oversight Committee, Behavioral Health Council (SC Hospital Association), and SC Impaired Driving Prevention Council. He earned his undergraduate degree in 1974 from the University of North Carolina at Greensboro, and his masters' degree from the University of South Carolina 1978.

Tricia H. Phaup, LMSW currently serves as the Director of the Department for Sexual Health & Violence Prevention at the University of South Carolina (USC). She also conducts campus-wide sexual health, STD/HIV, relationship violence, and sexual assault educational programs, and provides crisis intervention, as well as ongoing services for survivors of sexual assault and relationship violence. She has facilitated numerous presentations and trainings including programs for the Sexual Trauma Services of the Midlands, the SC Office of the Attorney General, the SC Coalition Against Domestic Violence and Sexual Assault, the Center for Child and Family Studies, the First International SANE Conference, and the Department of Justice Campus Programs to Reduce Violent Crimes Against Women on College Campuses. Tricia currently chairs the Richland County Sexual Assault Response Team (SART) and has been instrumental in developing and maintaining the organization structure in collaboration with other community partners. Tricia provides consultation for colleges and universities in SC on how to establish campus sexual assault and relationship violence programs and policies. She has provided consultation to Clemson University, Columbia College, Benedict University and is currently working with Furman University. Tricia obtained BA Degree in Psychology from the University of South Carolina and her Masters Degree in Social Work from the University of Pennsylvania. She is a licensed Master of Social Work in SC.

Robert G. "Bob" Rightsell is Director of Victim Services in the 11th Circuit Solicitor's Office and oversees the work of five other staff positions within that division, as well as providing direct services to victims. He has a keen interest in legislation affecting the provision of services. In 1993, he served on the committee that wrote a proposal to create an office of Crime Victims' Ombudsman in the state. It became law in 1994. In 1996, Rightsell formed and led a statewide task force of representatives of all criminal justice agencies and non-governmental victim service organizations, which wrote a proposal to delineate the duties of each agency with respect to victim services. This proposal became law in 1997. Prior to that, only Solicitors' offices were required to provide services. He monitors legislation and is frequently called upon to testify before subcommittees of the House and Senate. Before joining the Solicitor's Office 22+ years ago, he was involved in broadcast journalism for approximately 23 years, serving as reporter and anchor at several radio stations and a statewide network in South Carolina. Rightsell holds a B.A. in Journalism from the University of South Carolina.

Surleaner L. Smith, MA, currently serves as the Victim Services Program Manager for the South Carolina Department of Juvenile Justice. She holds a Master of Arts degree in Management and a Bachelor of Science degree in Counselor Education. She also serves as an Adjunct Professor at Limestone College. Ms. Smith's duties include providing technical and programmatic assistance to agency staff that provide direct services to juvenile crime victims; reviewing/auditing records for policy compliance; developing and distributing victim awareness materials; and directing the design, implementation, monitoring, and evaluation of a statewide Victim Services and Comprehensive Assistance In Response to Employees (CARE) program. Ms. Smith has over 24 years of experience in the juvenile justice field. Her previous positions include county director, juvenile probation officer, juvenile intake officer, and juvenile correctional officer. Additionally, Ms. Smith is a trained Victim Impact and Victim Offender Mediation Dialogue facilitator/trainer.

Sandi S. Wofford served as Executive Vice President for Citizens Against Violent Crimes - C.A.V.E from 1984 -1988, an organization which she also co-founded. Ms. Wofford was appointed to the SC Crime Victims Compensation Board in 1987-1988; she was awarded the "Order of the Palmetto" in 1987. She worked as the State Victim Assistance Coordinator from 1997 through 1998 and from that time till present has been the Director of Victim Assistance with the Office of SC's Attorney General.

Carol Woodard has over 25 years State service. She began her career with State government in 1982 at the Department of Probation, Parole, and Pardon Services. During that time she held various positions within PPP including positions in the Director's Office, Victim Services, Field Operations, and Human Resources. Carol left PPP in 1995 to work for the Department of Juvenile Justice in the Program Services Office. She returned to PPP in 1997 in the Human Resources area. Carol received a Bachelor of Science Degree in Human Resource Management from Southern Wesleyan University. She is currently pursuing a Masters of Divinity Degree at Oral Roberts University, Tulsa Oklahoma. Carol was chosen as the Director of Victim Services in November 2007. In this capacity she directly oversees the Office of Victim Services that provides assistance and support to victims in the post-sentencing process.

APPENDIX B: PROPOSED LEGISLATION

A BILL

TO AMEND SECTION 16-3-1180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VICTIMS' COMPENSATION AWARDS, SO AS TO ALLOW THE CRIME VICTIM'S ADVISORY BOARD TO AUTHORIZE ADDITIONAL COUNSELING FOR VICTIMS BASED ON DOCUMENTED NEED; TO AMEND SECTION 16-3-1230, AS AMENDED, RELATING TO CRIME VICTIMS' COMPENSATION CLAIMS, SO AS TO ALLOW CLAIM SUBMISSION VIA FACSIMILE OR OTHER ELECTRONIC MEANS; TO AMEND ARTICLE 14, CHAPTER 3 OF TITLE 16, RELATING TO THE VICTIM/WITNESS ASSISTANCE PROGRAM, SO AS TO RESTRUCTURE THE PROGRAM SO AS TO EMPOWER THE STATE OFFICE OF VICTIM ASSISTANCE TO PROVIDE CERTAIN SERVICES CURRENTLY PROVIDED BY THE VICTIM COMPENSATION FUND, TO RESTRUCTURE THE VICTIMS' SERVICES TO BE PROVIDED, TO CREATE THE VICTIM SERVICES COORDINATING COUNCIL AND PROVIDE FOR ITS MEMBERSHIP, AND TO CREATE THE OFFICE OF VICTIM SERVICES EDUCATION AND CERTIFICATION WITHIN THE OFFICE OF THE CRIME VICTIMS' OMSBUDSMAN AND ESTABLISH CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR VICTIM SERVICE PROVIDERS: AND BY ADDING SECTION 16-3-1680 SO AS TO AUTHORIZE THE CRIME VICTIMS' OMSBUDSMAN TO PROMULGATE NECESSARY REGULATIONS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-3-1180(A)(1) of the 1976 Code is amended to read:

- "(1) reasonable and customary charges as periodically determined by the board for medical services, including mental health counseling, required and rendered as a direct result of the injury on which the claim is based, as long as these services are rendered by a licensed professional. Payment for mental health counseling is limited to the number of sessions during a one hundred eighty-day period beginning on the date of the first counseling session or twenty sessions, whichever is greater; Upon recommendation of the director, the board may allow victims who max out the current benefit of twenty mental health counseling sessions to request up to an additional twenty sessions for a total of forty sessions;"
- SECTION 2. Section <u>16-3-1230(4)</u> of the 1976 Code, as last amended by Act 380 of 2006, is further amended to read:
- "(4) Claims must be filed in the office of the deputy director by conventional mail, facsimile, or in person, or through another electronic submission mechanism approved by the director. The deputy director shall accept for filing all claims submitted by persons eligible pursuant to subsection (1) and meeting the requirements as to the form of the claim contained in the regulations of the board."

SECTION 3. Article 14, Chapter 3, Title 16 of the 1976 Code is amended to read:

"Article 14 Victim/Witness Assistance Program

Section $\underline{16-3-1400}$. For the purpose of this article;

- (1) 'victim service provider' means a person:
- (a) who is employed by a local government or state agency and whose job duties involve providing victim assistance as mandated by South Carolina law; or
- (b) whose job duties involve providing direct services to victims and who is employed by an organization that is incorporated in South Carolina, holds a certificate of authority in South Carolina, or is registered as a charitable organization in South Carolina, and the organization's mission is victim assistance or advocacy and the organization is privately funded or receives funds from federal, state, or local governments to provide services to victims; and
- (2) 'witness' means any person who has been or is expected to be summoned to testify for either the prosecution or the defense or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution or defense, whether or not any action or proceeding has yet been commenced.
- Section <u>16-3-1410</u>. (A) The Victim Compensation Fund is authorized to provide the following victim assistance services, contingent upon an appropriation of funds therefor by the General Assembly the availability of funds:
- (A)(1) provide information, training, and technical assistance to state and local agencies and groups involved in victim/witness and domestic violence assistance, such as the Attorney General's Office, the solicitors' offices, law enforcement agencies, judges, hospital staff, rape crisis centers, and spouse abuse shelters:
- (B)(2) provide recommendations to the Governor and General Assembly on needed legislation and services for victims-;
- (C)(3) serve as a clearinghouse of victim/witness information.;
- (D) develop guidelines for the implementation of victim/witness assistance programs.
- (E)(4) develop ongoing public awareness and programs to assist victims, such as newsletters, brochures, television and radio spots and programs, and news articles-:
- (F)(5) provide staff support for a state level advisory group Victims Service Coordinating Council representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts, suggest policy and procedural improvements to those agencies and groups as needed, and recommend needed statutory changes to the General Assembly-; and
- (G)(6) coordinate the development and implementation of policy and guidelines for the treatment of victims/witnesses with appropriate agencies, with initial emphasis in the following three areas:

- (1) The State Victim/Witness Program shall work with the solicitors of this State, the Attorney General's Office, and relevant professional organizations to develop guidelines for solicitors to follow in the handling of victims, to include but not be limited to:
- (a) Periodically informing victims of the status of a case.
- (b) Providing information to the court on the views of victims of violent crime on bail decisions, continuances, plea bargains, dismissals, sentencing, and restitution.
- (c) Pursuing charges of defendants who harass, threaten, injure, or otherwise attempt to intimidate or retaliate against victims or witnesses.
- (d) Utilizing a victim and witness on-call system.
- (e) Developing procedures for the prompt return of victims' property.
- (f) Considering the views of victims and witnesses concerning the use of case continuances.
- (g) Informing the solicitors' offices about victim assistance units and their effectiveness.
- (h) Informing victims of the availability of civil as well as criminal redress.
- (2) The State Victim/Witness Program shall assist the Office of Court Administration and South Carolina Sentencing Guidelines Commission in developing guidelines for all judges to follow in the handling of victims, to include but not be limited to:
- (a) Scheduling of court proceedings and an on-call notification system.
- (b) Separate waiting rooms for prosecution and defense witnesses.
- (c) Special weight for victim's interests when considering requests for continuances.
- (d) Special weight must be given to the victim's interest in speedy return of property before trial in ruling on the admissibility of photographs of that property.
- (e) Child sexual assault/incest victims must be given practical legal support by allowing them videotape, legal transcript, or closed session testimony.
- (3) The State Victim/Witness Program shall work with the appropriate law enforcement officers' associations and other relevant organizations to develop guidelines and model policies for law enforcement agencies to utilize in handling and working with victims of crime.
- (B) The Victim Services Coordinating Council shall consist of the following twenty-two members:
- (1) the director of the State Office of Victim Assistance, or his designee;
- (2) the director of the South Carolina Department of Probation, Parole and Pardon Services, or his designee;
- (3) the director of the South Carolina Department of Corrections, or his designee;

- (4) the director of the South Carolina Department of Juvenile Justice, or his designee;
- (5) the director of the South Carolina Commission on Prosecution Coordination, or his designee;
- (6) the Governor's Crime Victims' Ombudsman, or his designee;
- (7) the director of the South Carolina Sheriffs' Association, or his designee;
- (8) the president of the South Carolina Police Chiefs Association, or his designee;
- (9) the president of the South Carolina Jail Administrators' Association, or his designee;
- (10) the president of the Solicitors' Advocate Forum, or his designee;
- (11) the president of the Law Enforcement Victim Advocate Association, or his designee;
- (12) the director of the South Carolina Coalition Against Domestic Violence and Sexual Assault, or his designee;
- (13) the Attorney General, or his designee;
- (14) the administrator of the Office of Justice Programs, Department of Public Safety, or his designee;
- (15) four representatives appointed by the State Office of Victim Assistance for a term of two years and until their successors are appointed and qualified for each of the following categories:
- (a) one representative of university or campus services; (b) one representative of a statewide crime victim organization;
- (c) one representative of a statewide child advocacy organization; and
- (d) one crime victim; and
- (16) four at-large seats elected upon two-thirds vote of the other thirteen members of the Victim Services Coordinating Council for a term of two years and until their successors are appointed and qualified, at least one of whom must be a crime victim and two of which must be representatives of community-based nongovernmental organizations.

The Victim Services Coordinating Council shall solicit input on issues affecting relevant stakeholders when those stakeholders are not explicitly represented. The Victim Services Coordinating Council shall meet at least four times per year.

Section <u>16-3-1420</u>. The director of the State Victim/Witness Assistance Program is the director of the South Carolina Victim's Compensation Fund <u>State Office of Victim Assistance</u>."

SECTION 4. Section 16-3-1620 of the 1976 Code is amended to read:

"Section <u>16-3-1620</u>. (A) The Crime Victims' Ombudsman of the Office of the Governor is created. The Crime Victims' Ombudsman is appointed by the Governor with the advice and consent of the Senate and serves at the pleasure of the Governor.

- (B) The Crime Victims' Ombudsman of the Office of the Governor shall:
- (1) refer crime victims to the appropriate element of the criminal and juvenile justice systems or victim assistance programs, or both, when services are requested by crime victims or are necessary as determined by the ombudsman;
- (2) act as a liaison between elements of the criminal and juvenile justice systems, victim assistance programs, and victims when the need for liaison services is recognized by the ombudsman; and
- (3) review and attempt to resolve complaints against elements of the criminal and juvenile justice systems or victim assistance programs, or both, made to the ombudsman by victims of criminal activity within the state's jurisdiction.
- (C) There is created within the Crime Victims' Ombudsman of the Office of the Governor, the Office of Victim Services Education and Certification which shall:
- (1) provide oversight of training, education, and certification of victim assistance programs;
- (2) with approval of the Victim Services Coordinating Council, promulgate training standards and requirements;
- (3) approve training curricula for credit hours toward certification;
- (4) provide victim service provider certification; and
- (5) maintain records of certified victim service providers.
- (D) Public victim assistance programs shall ensure that all victim service providers employed in their respective offices are certified through the Office of Victim Services Education and Certification within the Office of the Crime Victims' Ombudsman.
- (1) Private, nonprofit programs shall ensure that all victim service providers in these nonprofit programs are certified by a Victim Service Coordinating Council approved certification program. Victim Service Coordinating Council approval must include review of the program to ensure that requirements are commensurate with the certification requirements for public victim assistance service providers.
- (2) Victim service providers, serving in public or private nonprofit programs, employed on the effective date of this chapter are exempt from basic certification requirements but shall meet annual continuing education requirements to maintain certification. Victim service providers, serving in public or private nonprofit programs, employed after the effective date of this chapter are required to complete the basic certification requirements within one year from the date of employment and to meet annual continuing education requirements to maintain certification throughout their employment.
- (3) The mandatory minimum certification requirements, as promulgated by the crime victims' ombudsman, may not exceed fifteen hours, and the mandatory minimum requirements for continuing advocacy education, as promulgated by the crime victims' ombudsman, may not exceed twelve hours.

(4) Nothing in this section shall prevent an entity from requiring or an individual from seeking additional certification credits beyond the basic required hours."

SECTION 5. Article 16, Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Section <u>16-3-1680</u>. The Crime Victims' Ombudsman of the Office of the Governor may promulgate those regulations necessary to assist it in performing its required duties as provided by this chapter."

SECTION 6. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. This act takes effect on January 1, 2009.

APPENDIX C: VSCC BYLAWS

Article I-Name

The name of this organization shall be the South Carolina Victim Service Coordinating Council.

Article II-Purpose

The purpose of the South Carolina Victim Service Coordinating Council shall be to utilize engaged discussions and group planning to improve coordination efforts of victim service providers, suggest policy and procedural improvements to victim service agencies and groups, and recommend needed statutory changes to the General Assembly in order to promote the highest quality victim services across the state.

Article III-Members

Section 1. Eligibility for Membership

The members of the South Carolina Victim Service Coordinating Council shall be twenty members as follows:

- o The director/administrator or designee from the following agencies or organizations—
 - State Office of Victim Assistance;
 - O South Carolina Department of Probation, Parole, and Pardon Services;
 - South Carolina Department of Corrections;
 - South Carolina Department of Juvenile Justice;
 - O South Carolina Commission on Prosecution Coordination;
 - O Governor's Crime Victims' Ombudsman's Office;
 - South Carolina Sheriff's Association;
 - O Solicitors' Advocate Forum;
 - O South Carolina Law Enforcement Victim Advocate Association;
 - South Carolina Coalition Against Domestic Violence and Sexual Assault;
 - South Carolina Attorney General's Office;
 - South Carolina Department of Public Safety's Office of Justice Programs;

- Three representatives appointed by the State Office of Victim Assistance for a term of two years and until his successor is appointed and qualified for each of the following categories—
 - One representative of university/campus services,
 - One representative of a statewide crime victim organization,
 - One representative of a statewide child advocacy organization, and
 - One crime victim;
- Four at-large seats elected upon two-thirds vote of the other thirteen members of the South Carolina Victim Services Coordinating Council for a term of two years and until his successor is appointed and qualified, including—
 - One crime victim,
 - O Two representatives of community-based non-governmental organizations,
 - One general at-large representative.

Section 2. Forfeiture of Membership Rights

A member shall be considered in good standing if that member attends meetings of the South Carolina Victim Service Coordinating Council. If a member misses two consecutive meetings of the council, the membership may vote to rescind membership rights of that individual for the remainder of the state fiscal year.

Section 3. Voting

A member in good standing shall be entitled to one vote at meetings. Absentee voting by proxy shall not be permitted.

With approval of the membership, voting by email may be permitted in special circumstances; such voting must include verification of receipt as the ballot is sent to and returned by each voting member.

Because the South Carolina Victim Service Coordinating Council's mission of coordination necessitates high-consensus goals, all matters addressed by the council shall require a two-thirds majority of votes cast for the motion to pass.

Article IV-Administrative Services

The SC State Office of Victim Assistance shall provide administrative staff with responsibilities including chairing meetings, appointing special committees with approval of membership, recording minutes, sending notice of meetings, management of finances, and preparation of written reports.

Article V-Meetings

Section 1. Meetings

The council shall hold meetings no less than four times a year. Notice of meetings must be given to all members at least one week prior to the date of the meeting and shall include an agenda for the meeting.

Section 2. Quorum

The quorum for meetings shall be two-thirds of the total membership (14 of 20 members).

Article VI-Committees

Committees may be established by the membership as necessary.

Article VII-Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the South Carolina Victim Service Coordinating Council in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the organization may adopt.

Article IX-Amendments

The bylaws may be amended at any meeting provided that notice with a copy of proposed changes has been given two weeks in advance of the meeting. Amendment shall require a two-thirds vote of the total membership (14 of 20 members).